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S/N 10/687,497

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bachinski et al.	Examiner:	Alfred Basichas
Serial No.:	10/687,497	Group Art Unit:	3749
Filed:	October 15, 2003	Docket No.:	12929.1072USC1
Customer No.:	23552	Confirmation No.:	9051
Title:	Proximity Warning System for a Fireplace		

**CERTIFICATE UNDER 37 CFR 1.6(d):**

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on October 29, 2004.

By:



Name: Robert A. Kalinsky

**AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action mailed on July 29, 2004, please consider and enter the following remarks. Claims 24-29 and 31-39 remain pending in the application.

Amendments to the claims begin at page 2 of this paper.

Remarks begin at page 5 of this paper.

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**Fax Transmission** | October 29, 2004TO: Commissioner for Patents  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313-1450

FROM: Robert A. Kalinsky

OUR REF: 12929.1072USC1  
TELEPHONE: 612.336.4771USPTO Centralized Facsimile No.: 1-703-872-9306Total pages, including cover letter: 8.

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Document Transmitted: 1. Amendment and Response to Office Action mailed July 29, 2004.

Applicant: **Bachinski et al.**  
Serial No.: **10/687,497**  
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Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Robert A. Kalinsky

Name: Robert A. Kalinsky

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RAK:pll

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Robert A. Kalinsky  
Signature (Robert A. Kalinsky)October 29, 2004  
Date